

**BOARD OF BOILER RULES MINUTES**  
**March 8<sup>th</sup>, 2006 Meeting**  
**Tacoma Labor and Industries**

**Board Members:**

Craig Hopkins, Chair  
Steve Bacon  
Ken Eshleman  
Steve Prideaux  
Faye Dietz  
Linda Williamson, **Secretary**

**Other Attendees:**

Tony Oda  
Bill Gill  
Larry Leet  
Andy Worline  
Terry Conwell  
Ed Kimbrel  
Donna Emmingham  
Bobbe Hundley

\*(ss) – Are the attendees for the Study Session only

The Boiler Board meeting was called to order by the Chair at 10:00 a.m., March 8<sup>th</sup>, 2006.

Introductions were made by the Boiler Board and all attendees. Linda informed the Board that during the Study Session meetings, more background information is discussed rather than at the actual Board Meetings. Therefore, Craig has proposed that notes to the study session accompany the Board minutes at subsequent Board of Boiler Rules meetings for further details on each topic.

Mid-meeting/lunch breaks were discussed and it was decided that if the meeting would run over two hours, mid-meeting/lunch breaks would be called by the Chair or at anytime it was deemed necessary.

The Board approved the agenda as written with no additional items. Faye made a motion to remove item nine (9) on the agenda due to having already discussed it up front by Craig. The agenda was amended, approved and adopted.

The minutes from the last meeting (January 11<sup>th</sup>, 2006) were reviewed, approved and adopted as submitted.

**Review of the CR 102 WAC changes:** The department is proposing a 2.82% fee increase in WAC 296-104-700 for this year that would be effective July 1, 2006. A public hearing will be conducted on this fee increase at the next Board of Boiler Rules meeting, scheduled for May 24<sup>th</sup>, 2006. Notice of this WAC change will be posted on the department's website at: [www.lni.wa.gov/tradeslicensing/boilers](http://www.lni.wa.gov/tradeslicensing/boilers) .

**CR 105 to repeal WAC 296-09:** This WAC pertains to proper practices and procedures for the Board of Boiler Rules. Donna Emmingham brought this WAC to the Board's

attention earlier in the year. Steve Bacon and Donna Emmingham reviewed this WAC and they concluded that this WAC was no longer pertinent or necessary for the Board of Boiler Rules. The Board voted to delete it. Donna mentioned that the deletion process can be expedited because no public hearing is required and the Board has already proceeded with the CR 105 filing.

**Review of the status of the proposed WAC and RCW changes:** The Board will review and approve final changes to the below listed WACs at the May Board meeting. A public hearing and final voting on all changes will be held at the September Board meeting the proposed changes will be posted for public review on the Boiler Section Home Page.

- **WAC 296-104-010 & 045** – (Ken Eshleman) the Board decided that these WACs sufficiently address the in-service inspection duties for all inspectors, not only “special inspectors”. No further changes are required.
- **WAC 296-104-200** – (Ken Eshleman) Review of this WAC was to insure that there are no major changes between the 2004 edition of CSD-1 and the 2002 edition. Ken could not find any significant changes, except for minor editorial changes. The Board decided to update this WAC to the 2004 edition of CSD-1.
- **WAC 296-104-303** – (Steve Prideaux) there seems to be confusion in the construction world therefore we are going to change the words “should” to “shall” in the verbiage, to match the exact wording in CSD-1, Part CE-110. Larry Leet (Chief Boiler Inspector for the City of Seattle) asked do boilers and fired objects of 200 thousand Btu’s to 400 thousand Btu’s have a safety shut off safety switch? Steve Prideaux will be looking at this and coming up with a proposal.
- **WAC 296-104-520 Non-Nuclear and Nuclear Safety Relief Valves:** – Tony Oda discussed the proposed changes to this WAC. His proposed changes followed the NBIC requirements and guidelines for repair/alteration and adjustment of safety devices. He proposed that the first paragraph be re-written to read: The resetting, repairing, and restamping of safety valves and relief valves shall be done by a qualified valve repair organization holding a valid “VR” Certificate of Authorization issued by the National Board of Boiler and Pressure Vessel Inspectors. ASME valve manufacturers, holding “V”, “HV”, and “UV” Certificate(s) of Authorization may also do this work, provided they also have a valid “VR” Certificate of Authorization. The proposed changes in the second paragraph clarified requirements for owner/users to do external adjustments to their safety and relief valves if they have a quality system in place.
- **WAC 296-104-540:** – Tony Oda said this WAC needs to be rewritten since it is not in agreement with the requirements of a NB certified “NV” and “VR” system. The first sentence states that all nuclear components shall be safe-guarded by safety devices. Only ASME Section III, Division 1, Class 1, 2, and 3 objects are

pressure containing. Division 2 and 3 pertains to non-pressurized concrete containers that do not require any safety devices.

The proposed changes in the second paragraph clarified requirements for owner/users to do external adjustments to their safety and relief valves if they have a quality system in place.

- **RCW 70.79.060/290/300/310 & 320:** (Faye Dietz) - This review had to do with terminologies referencing the difference between operating permit and certificate. It has been decided to call it a "Certificate of Inspection". She will work with Linda for more clarification if needed.
- **RCW 70.79.080(12) Intent:** - An Insurance Agency requested the department to clarify RCW.70.79.080 (12). It appears there may be some conflict between exemption (5), (6) and (12). After a lengthy discussion, the Board recommended that Linda talk to the Department's AAG to get clarification and to present that clarification to the Board. If the Board agrees with the interpretation, it could be used as the Department's policy. If that does not resolve the issue, the Board could elect to have the RCW revised or to clarify with an additional WAC.

**State Exam Question – The Board plans to have the revised state exam questions completed by the May Board meeting.**

**Atmospheric Boilers, Exempt or Not Exempt** – Discussion on exemption of boilers that are vented to the atmosphere regardless of size where there are no intervening stop valves and no means for the boiler to have internal pressure or vacuum. Craig and Steve approached officials of the National Board for their interpretations and comments. The consensus was that boilers open to atmosphere with no intervening valves typically are exempted. However, boilers such as those found in apartment buildings with expansion tanks open to atmosphere on top of the building, which have head pressure, typically are not exempt.

**Piping exemption** - Terry Conwell, representing the Spokane Boiler Board and Ed Kimbel, Chief Inspector, City of Spokane were in attendance to discuss the department's position not to regulate external piping that they feel function as pressure vessels. Craig stated that the Boiler Board was happy to have this discussion; however since there was no official motion on the table, no Boiler Board action will be taken. This discussion will be for information purposes only and will be limited in length. Terry and Ed, representing the jurisdiction of the City of Spokane, wanted to inform the Boiler Board that they disagree with the department's position, and consider the Andrews Mechanical, Inc. piping system not external piping but, a pressure vessel, under the scope of ASME Section VIII, Div. 1. They supplied evidence that this piping system's main purpose was for the storage of hot water, and not to transport liquid from one location to another (which is part of the definition of a piping system). They also stated that the contractor is adding drain piping and valves to the 10" header pipe to facilitate sludge removal. They informed the Boiler Board that any similar system installed in their

jurisdiction will be treated as pressure vessels, and be required to be built to the ASME Code. The jurisdiction of Spokane, understands they can enforce requirements above and beyond the state boiler laws, but they were hoping for concurrence of the state so enforcement would be uniform between the State and Spokane on this type of future installations. The Board thanked Terry and Ed for their concerns, and with no further comments, this discussion was closed.

#### **New Business –**

- Tony Oda said one inspector has inquired about high limit controls with manual resets that have a fixed high limit temperature setting. These devices are commonly found on HLW stamped water heaters. There is no way to test these devices unless the actual water temperature in the tank is brought up to that fixed set temperature. Increasing the water temperature to test these devices would cause an unsafe condition for the inspector, and other people. WAC 296-104-300(3) states all devices shall be designed so that they may be readily tested. The Board concluded that these fixed set temperature devices do not meet the requirements of WAC 296-104-300(3) so they should be replaced with devices that are testable.
- Tony Oda brought up another inquiry from another inservice inspector regarding the definition of a “Low Pressure Heating Boiler” as defined in WAC-296-104-010. This definition includes **lined potable water heaters**, which creates a major conflict between the requirements for limit controls as stated in WAC’s 296-104-300 to 303, for Low Pressure Heating Boilers and with the limit control requirements for “HLW” built lined potable water heaters in ASME Section IV. Specifically, our WAC’s require a low water cutoff device on low pressure heating boilers. HLW’s are not designed to operate with a LWCO device, and in fact, would be useless, if one was installed. Tony suggested that the definition as stated above be revised to exclude HLW water heaters. Steve Prideaux was assigned the task of reviewing this change with Tony.

Meeting adjourned at 11:25 a.m.